

EXHIBIT A

FILED: ERIE COUNTY CLERK 03/29/2018 02:38 PM

INDEX NO. 805129/2018

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 03/29/2018

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

HANNAH M. MELI
4139 Vinewood Drive
Williamsville, New York 14221

SUMMONS

Index No.:

Plaintiff,

Plaintiff designates Erie
County as the place of trial.

-against-

AMERICAN RED CROSS
344 West Genesee Street
Syracuse, New York 13202

The basis of the venue is
plaintiff's place of
permanent residence.

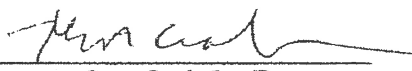
Defendant.

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: March 29, 2018

KENNEY SHELTON LIPTAK NOWAK LLP


Robert A. Crawford, Jr., Esq.
Attorneys for Plaintiff
The Calumet Building
233 Franklin Street
Buffalo, New York 14202
(716) 853-3801

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

HANNAH M. MELI,

Plaintiff,

COMPLAINT

-against-

Index No.

AMERICAN RED CROSS,

Defendant.

The Plaintiff, HANNAH M. MELI, by and through her attorneys, KENNEY SHELTON LIPTAK NOWAK LLP, for her cause of action against the defendant, herein allege as follows:

1. At all times hereinafter mentioned, the plaintiff, HANNAH M. MELI, was and still is a permanent resident of the County of Erie and State of New York.

2. That at all times hereinafter mentioned, defendant, AMERICAN RED CROSS (hereinafter "Defendant") is a domestic not-for-profit organization, authorized to do business in the State of New York.

3. Upon information and belief, at all times hereinafter material and mentioned, the plaintiff, HANNAH M. MELI, was enrolled as a student at Nazareth College, located at 4245 East Avenue, Rochester, New York (hereinafter "the premises").

4. Upon information and belief, at all times hereinafter material and mentioned, defendant was present on the premises on or about September 14, 2016 and authorized to perform and administer blood donation collection and services.

5. Upon information and belief, plaintiff, HANNAH M. MELI, was a participant in the blood donation collection and services provided by defendant on the premises on or about September 14, 2016.

6. That upon information and belief, as the owners, managers and/or entities responsible for organizing blood donation collection and services on September 14, 2016 at the premises, Defendant had a duty to protect those present and/or participating in the blood donation collection and services at the premises, which duty includes but is not limited to taking all necessary precautions, making accommodations for all prospective or actual donors and utilizing an appropriate protocol to protect donors from injuries before, during and after the donation of blood.

**AS FOR A FIRST CAUSE OF ACTION AGAINST THE DEFENDANT HEREIN
PLAINTIFF HANNAH M. MELI ALLEGES THE FOLLOWING:**

7. Plaintiff repeats and realleges each and every allegation contained with paragraphs designed "1" through "6" as if set forth more fully herein.

8. That upon information and belief, at approximately 2:30 p.m. on September 14, 2016, plaintiff HANNAH M. MELI attempted to donate blood at the premises through a collection organized by Defendant.

9. While at the aforementioned premises, the Plaintiff, HANNAH M. MELI, was caused to sustain severe and permanent personal injuries when she was caused to lose consciousness, fall and hit her face and head at the premises, following the donation of blood.

10. That plaintiff's injuries were caused solely and wholly as a result of the negligence of Defendant herein, including but not limited to its failure to monitor the plaintiff following her blood donation and without any negligence on the part of the plaintiff contributing thereto.

11. Upon information and belief, the Plaintiff, HANNAH M. MELI's injuries were the result of the carelessness and negligence of the Defendant herein, their agents, servants and/or employees, who failed to take proper precautions and created an unreasonably dangerous condition on the premises.

12. Upon information and belief, the Defendant had notice of the aforesaid unreasonably dangerous condition and/or created said condition.

13. The amount of damages sought by the plaintiff exceeds the jurisdictional limits of all lower courts, and that this action is properly brought in the Supreme Court of Erie County, New York, pursuant to CPLR §3017(c).

14. As a result of the foregoing and the negligence, carelessness and recklessness of the defendant herein, plaintiff HANNAH M. MELI was caused to suffer severe, painful and permanent personal injuries, was rendered sick, sore, lame, disfigured and disabled; was caused to endure great pain and suffering and mental anguish and upon information and belief will be caused to endure such pain and suffering and mental anguish in the future; was caused and will be caused in the future to incur and expend certain sums of money for hospital, medical and related care and attention and was incapacitated from attending to her usual duties and activities, and upon information and belief, has suffered the loss and/or limitation of quality and/or enjoyment of life and upon information and belief will continue to suffer the loss and/or limitation of quality and/or enjoyment of life; and was otherwise injured and damaged.

WHEREFORE, plaintiff, HANNAH M. MELI, demands judgment against the Defendant in the amount to be determined upon the trial of this action along with the reasonable costs and disbursements of this action and further relief as to this Court may seem just and proper.

Dated: March 29, 2018

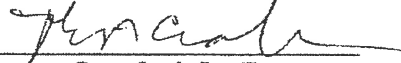
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